

REMARKS

Claims 1-10 are pending in the application. It is gratefully acknowledged that Claims 6 and 7 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner rejects independent Claims 1, 3, 5, 9 and 10 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,526,403 to Tam. The Examiner rejects independent Claims 1 and 9 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,962,524 to Murata et al. The Examiner rejects independent Claims 1, 3, 5, 9 and 10 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,058,151 to Tanaka et al. The Examiner rejects independent Claims 1 and 9 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,303,284 to Shinozaki. The Examiner rejects independent Claims 1 and 9 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,452,354 to Kyronlahti et al.

The Examiner states in the Office Action that based on the statement in the November 12, 2002 Response that the previously entered amendments were for clarification purposes and not for purposes of patentability, the Examiner did not review the amendments and maintained the rejections. On May 20, 2003, Applicant's representative, Michael J. Musella, Esq., contacted the Examiner to discuss this position. During the interview, the Examiner stated that if the statement were retracted, he would consider the amendments contained in the November 12, 2002 Response, and withdraw the "Final" marking of the Office Action. At this time, the statement, "These amendments serve to clarify the terms and are not for purposes of patentability or of limiting the scope of the claims", is respectfully retracted. It is respectfully requested that the "Final" marking of the Office Action be withdrawn, and that the amendments of the claims contained in the November 12, 2002 Response be entered, considered, and examined.

In addition, in the Advisory Action the Examiner stated that the arguments presented in the after-final Response have been considered but do not place the application in condition for allowance. The Examiner stated that since the claims did not recite which "service" the alert tones identify, the Examiner can take any "service options" and went on to take those recited in Tam et al., namely, wireline and cellular telephone service. It is respectfully submitted that the "service options" recited in the claims of the present application, as amended, relate to service

options available via a cellular system. Neither Tam et al. nor the other references cited by the Examiner teach or disclose service options as recited in the amended claims of the present application. Based on the foregoing amendments and remarks, withdrawal of the rejections of Claims 1, 3, 5, 9 and 10 is respectfully requested.

Independent Claims 1, 3, 5, 9 and 10 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 4 and 6-8, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2, 4 and 6-8 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-10, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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